

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, MARCH 20, 2018

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 20, 2018

The Senate met in regular session at 9:04 a.m., President Schneider presiding.

Prayer was offered by Pastor Steve Cauley of the Zion Lutheran Church in Muscatine, Iowa. He was the guest of Senator Lofgren.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Greer Simmons.

The Journal of Monday, March 19, 2018, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 2018, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2231](#), a bill for an act relating to carrying weapons and operating or riding a snowmobile or all-terrain vehicle while carrying a loaded firearm.

[Senate File 2271](#), a bill for an act relating to motor carriers, and making penalties applicable.

[Senate File 2323](#), a bill for an act relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable.

[Senate File 2366](#), a bill for an act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

ALSO: That the House has on March 19, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2200](#), a bill for an act regulating veterans' benefit services and related events, by requiring certain disclosures and making penalties applicable. ([S-5166](#))

ALSO: That the House has on March 19, 2018, **adopted** the following resolution in which the concurrence of the Senate is asked:

[House Joint Resolution 2009](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms.

Read first time and attached to **companion** [Senate Joint Resolution 2009](#).

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Michael Cormack, the Governor's appointee to be the Chair and a member of the Public Employment Relations Board. He was the guest of Senators Boulton and Schultz and the committee on Labor and Business Relations.

HERBERT HOOVER UNCOMMON PUBLIC SERVICE AWARD

Senator D. Johnson introduced to the Senate chamber members from the Hoover Presidential Foundation Board of Trustees; Jerry Fleagle, the executive director from Coralville; David Dierks, the board president from Iowa City; Brad Reiners, the communications director from Cedar Rapids; and board members, Bill Bywater of Iowa City; Bruce Barnhart of West Branch; and Bob Downer of Iowa City.

Senator Dvorsky announced the 2018 Herbert Hoover Uncommon Public Service Award recipient, Senator Pam Jochum.

Senator Jochum addressed the Senate with brief remarks.

The Senate rose and expressed its congratulations.

The Senate stood at ease at 9:27 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:30 a.m., President Schneider presiding.

HOUSE AMENDMENTS CONSIDERED

[Senate File 2177](#)

Senator Whitver called up for consideration [Senate File 2177](#), a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions, amended by the House in House amendment [S-5083](#), filed March 1, 2018.

Senator Zaun offered amendment [S-5159](#), filed by him on March 14, 2018, to pages 1–2 of House amendment [S-5083](#), and moved its adoption.

Amendment [S-5159](#) to amendment [S-5083](#) was adopted by a voice vote.

With the adoption of amendment [S-5159](#) to amendment [S-5083](#), the Chair ruled amendment [S-5153](#) to amendment [S-5083](#), filed by Senator Zaun on March 13, 2018, to page 1 of the bill, out of order.

Senator Zaun moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Zaun moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2177](#)), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirmbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

[Senate File 2333](#)

Senator Whitver called up for consideration [Senate File 2333](#), a bill for an act relating to amusement concessions concerning allowable prizes and including effective date provisions, amended by the House in House amendment [S-5113](#), filed March 6, 2018.

Senator Dawson moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dawson moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2333](#)), the vote was:

Yeas, 44:

Allen	Costello	Horn	Ragan
Behn	Danielson	Jochum	Rozenboom
Bertrand	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Kapucian	Schultz
Boulton	Dvorsky	Kinney	Segebart
Bowman	Edler	Kraayenbrink	Shipley
Breitbach	Feenstra	Lofgren	Sinclair
Brown	Garrett	Lykam	Smith
Carlin	Greene	Mathis	Whitver
Chapman	Guth	McCoy	Zaun
Chelgren	Hart	Petersen	Zumbach

Nays, 5:

Bolkcom	Johnson, D.	Taylor
Hogg	Quirmbach	

Absent, none.

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 19, 2018)

[Senate File 2342](#)

The Senate resumed consideration of [Senate File 2342](#), a bill for an act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without explicit authorization by statute, rule, or regulation, deferred March 19, 2018.

Senator Shipley offered amendment [S-5161](#), filed by him on March 19, 2018, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-5161](#) was adopted by a voice vote.

Senator Shipley asked and received unanimous consent that [House File 2343](#) be **substituted** for [Senate File 2342](#).

[House File 2343](#)

On motion of Senator Shipley, [House File 2343](#), a bill for an act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without explicit authorization by statute, rule, or regulation, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 2343](#)), the vote was:

Yeas, 46:

Allen	Costello	Jochum	Rozenboom
Behn	Danielson	Johnson, C.	Schneider
Bertrand	Dawson	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Whitver
Brown	Greene	Mathis	Zaun
Carlin	Guth	McCoy	Zumbach
Chapman	Hart	Quirmbach	
Chelgren	Horn	Ragan	

Nays, 3:

Hogg	Petersen	Taylor
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Absent, none.

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Shipley asked and received unanimous consent that [Senate File 2342](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Sinclair asked and received unanimous consent that **Senate Files 2177 and 2333** and [House File 2343](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Sinclair asked and received unanimous consent to take up for consideration [House File 2446](#).

[House File 2446](#)

On motion of Senator Feenstra, [House File 2446](#), a bill for an act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Feenstra offered amendment [S-5165](#), filed by him on March 19, 2019, to pages 2 and 14 of the bill, and moved its adoption.

Amendment [S-5165](#) was adopted by a voice vote.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2446](#)), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley

Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach
Chapman	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Costello	Jochum	Rozenboom	

Nays, none.

Absent, none.

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Sinclair asked and received unanimous consent to take up for consideration House Files 2305 and 2392.

[House File 2305](#)

On motion of Senator Guth, [House File 2305](#), a bill for an act relating to insurance coverage for health care services delivered by telehealth, and including applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Petersen offered amendment [S-5169](#), filed by her from the floor to page 2 and amending the title page of the bill.

Senator Petersen called for the following division of amendment [S-5169](#):

Division [S-5169A](#): Page 1, lines 3–17, and 26; and

Division [S-5169B](#): Page 1, lines 18–25.

Senator Petersen moved the adoption of division [S-5169A](#).

A record roll call was requested.

On the question “Shall division [S-5169A](#) be adopted?” ([H.F. 2305](#)), the vote was:

Yeas, 23:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Johnson, D.	Quirmbach
Boulton	Greene	Kinney	Ragan
Bowman	Hart	Lykam	Taylor
Chelgren	Hogg	Mathis	

Nays, 26:

Behn	Dawson	Kraayenbrink	Sinclair
Bertrand	Edler	Lofgren	Smith
Breitbach	Feenstra	Rozenboom	Whitver
Brown	Garrett	Schneider	Zaun
Carlin	Guth	Schultz	Zumbach
Chapman	Johnson, C.	Segebart	
Costello	Kapucian	Shipley	

Absent, none.

Vacant, 1.

Division [S-5169A](#) lost.

Senator Petersen withdrew division [S-5169B](#).

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 2305](#)), the vote was:

Yeas, 49:

Allen	Danielson	Johnson, C.	Schneider
Behn	Dawson	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Carlin	Hart	Petersen	Zumbach

Chapman	Hogg	Quirnbach
Chelgren	Horn	Ragan
Costello	Jochum	Rozenboom

Nays, none.

Absent, none.

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[House File 2392](#)

On motion of Senator Edler, [House File 2392](#), a bill for an act relating to electronic and mechanical eavesdropping, and the interception of communications, with report of committee recommending passage, was taken up for consideration.

Senator Edler offered amendment [S-5168](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5168](#) was adopted by a voice vote.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 2392](#)), the vote was:

Yeas, 48:

Allen	Costello	Horn	Ragan
Behn	Danielson	Jochum	Rozenboom
Bertrand	Dawson	Johnson, C.	Schneider
Bisignano	Dotzler	Johnson, D.	Schultz
Bolkcom	Dvorsky	Kapucian	Segebart
Boulton	Edler	Kinney	Shipley
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Lykam	Taylor
Carlin	Guth	Mathis	Whitver
Chapman	Hart	Petersen	Zaun
Chelgren	Hogg	Quirnbach	Zumbach

Nays, 1:

McCoy

Absent, none.

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2305, 2392, and 2446** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 12:36 p.m. until 9:00 a.m., Wednesday, March 21, 2018.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF NATURAL RESOURCES

Resources Enhancement and Protection Recommendations, pursuant to Iowa Code section 455A.17. Report received on March 20, 2018.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Glenn Coady, West Des Moines—For receiving the Veterans Program Scholarship from the Clifford H. “Ted” Rees, Jr. Scholarship Foundation. Senator Schneider.

Kevin Enwright—For being inducted into the Iowa High School Athletic Association Basketball Hall of Fame. Senator Hart.

Jacob Hunter—For being named the 2018 Emerging Leader by the Iowa State University College of Agriculture and Life Sciences. Senator Hart.

Karleen Looney, Lost Nation—For being selected as a 2018 honoree of the 100 Great Iowa Nurses. Senator Hart.

Emma Miller, DeWitt—For advancing to the 2018 Iowa National Geographic Geography Bee. Senator Hart.

Marilyn Nicely, Wheatland—For her forty years of service at First Trust and Savings Bank. Senator Hart.

Mya Peteresen, DeWitt—For advancing to the 2018 Iowa National Geographic Geography Bee. Senator Hart.

Daniel Robertson, Wheatland—For being named a finalist in the National Merit Scholarship competition. Senator Hart.

Iowa Resource for International Services—For celebrating their 25th anniversary. Senator Schneider.

Harry and Terry Swanson, Clive—For being inducted into the Iowa Volunteer Hall of Fame. Senator Schneider.

Elaine Thoma—For celebrating her 100th birthday. Senator Dotzler.

STUDY BILL RECEIVED

SSB 3206 **Appropriations**

Establishing an education savings grant program for pupils attending a nonpublic school, establishing an education savings grant fund, providing an income tax exemption, making appropriations, providing penalties, and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 2462

APPROPRIATIONS: Costello, Chair; Bolkcom and Shipley

SSB 3206

APPROPRIATIONS: Chelgren, Chair; Danielson and Rozenboom

AMENDMENTS FILED

<u>S-5166</u>	<u>S.F. 2200</u>	House
<u>S-5167</u>	<u>H.F. 2397</u>	Nate Boulton
<u>S-5168</u>	<u>H.F. 2392</u>	Jeff Edler
<u>S-5169</u>	<u>H.F. 2305</u>	Janet Petersen
<u>S-5170</u>	<u>H.F. 2372</u>	Robert M. Hogg
<u>S-5171</u>	<u>H.F. 2372</u>	Robert M. Hogg